

# THE WAR:

## NOT FOR EMANCIPATION OR CONFISCATION.

*A Speech by Hon. Garrett Davis, of Kentucky, delivered in the U. S. Senate,  
January 23, 1862. Revised by the Author.*

Mr. DAVIS commenced speaking on the 22d, upon a resolution expelling Senator Bright, of Indiana, but gave way for the Senate to go into executive session. On the 23d he finished his very able argument on the resolution, and concluded by dealing with the subject of emancipation in reply to several Senators, among whom were Mr. Sumner, of Massachusetts, and Mr. Harlan, of Iowa, to whom it will be noticed he makes allusion. After introducing the subject, and paying a high tribute to John Quincy Adams, he spoke as follows:

I AM for putting down this rebellion. I am for visiting the leaders with every punishment that can be constitutionally inflicted. So far as you can hang the leaders, I say, in the name of justice and of our country, hang them. So far as you can constitutionally forfeit their property—and forfeiting and confiscation are different things—forfeit it. In confiscation, the property goes into the king's exchequer. In forfeiture, it may go to the king, and will go to him, unless there is a different destination expressed; or it may go to the public, or it may go to individuals. I say forfeit all the estate you can constitutionally of those who have taken an active part in this rebellion; and instead of vesting it in the nation—in the United States, if that is disagreeable to gentlemen—forfeit it to the innocent and true and faithful men who have been impoverished, and whose families have been reduced to pennury and want by the ravages of this war. Let it make atonement to them. There is a just retribution—in my judgment a constitutional retribution. Let that retribution be made. You may make it in that form without any violation of the Constitution.

At this point let me put a question to the Senator from Massachusetts. While that assembly of sages and of patriots were deliberating upon the formation of the Constitution at Philadelphia, they despaired at one time of being able to accomplish anything, and were about to separate in despair and give up their country in hopeless despondency. Franklin advised that they should appeal to the throne of grace for instruction and light. That appeal was made, and the fruits were afterward manifested in the adoption of the Constitution. Suppose that any member of that convention

had proposed to incorporate into the Constitution, in explicit words, just the powers for which the gentleman now contends, how many votes in the convention would such a constitution have obtained? If it could have passed that ordeal, and had come to be submitted, as it was directed and advised by the members of the convention to be submitted, to the people of the States in convention (not in their State government, not to their legislatures, but to the people of the States in their power and capacity, sitting in sovereign convention), how many of the States would have approved of a constitution containing express provisions granting the powers which the gentleman now claims? The Constitution never would have been made.

A few more words, Mr. President, and I have done, and I make my humble apology to the Senate for having detained it so long. The gentleman said that slavery was the cause of this rebellion. In my judgment it has many causes. If the word "slavery" had never been spoken in the halls of Congress, there would have been no rebellion, as I think. One of the remote causes of this rebellion was the acquisition of Texas. I chanced to be a member of the other House when the joint resolution usurping the treaty-making power was introduced in the House of Representatives to admit Texas as a State into the Union. A treaty had been negotiated to that effect a few weeks before by Mr. Calhoun, as secretary of state for Mr. Tyler. The Democratic party, though they wanted to use Tyler to subvert and overthrow the party which placed him in power, never intended to make him their chief, and themselves never confided any power to him. They determined that he and his administration should never have the Jeffersonian glory and fame of having added such a province as Texas to the United States of America.

They therefore voted down that treaty; they would not allow it to get a two-third vote in the Senate, which was requisite. In a few weeks afterward a joint resolution, admitting Texas, a foreign territory, into the Union, was introduced. I say that no constitution was ever more palpably and flagitiously violated than was the Constitution of the United States by the introduction and passage of that resolution. It is preposterous and absurd to say that Congress, the legislative department of the Government, clothed with no part or parcel of the treaty-making power, may admit foreign territory into the United States either as Territory or State. I voted against it then. It is no precedent to me now. It is such a

monstrous absurdity that I would not give the act the least consideration if a parallel proposition were now to be offered.

What were the fruits of the annexation of Texas? I allude to that to show how the woof of vice and of crime is interwoven, and how it progresses. Mexico took exception to that act, and she marched her army to Corpus Christi, and under Polk's administration that army was met at Palo Alto and at Resaca de la Palma, by that old son of Mars, Zachary Taylor, and it was overthrown. What did Polk do? He sent a message to Congress declaring that American blood had been shed upon American soil, and asking Congress to repel the invasion. It is a historical and a geographical fact, as demonstrable as such facts can be, that Corpus Christi never had been any part of Texas until it was usurped after the battle of San Jacinto; that when Texas was one of the Mexican states, and one of the Spanish provinces, it had never been any part of Texas. What did Congress do? It recognized the war. I voted against the war, and I denounced the position of the President that American blood had been shed upon American soil as a falsehood; and I think that I conclusively proved it to be so in a speech that I made upon the subject in the House of Representatives.

What then took place? As a continuation of that line of policy, I say, came the war with Mexico. I voted against recognizing that war. I voted against it not only for the reason I have stated, but for another reason. I knew that the result of the war would be the acquisition of more territory; and that whenever we got more territory, this apple of discord, this perpetual, this accursed question of negro slavery would again be thrown in to divide and to distract the people. I then went out of Congress, and now have returned. If I had been present in 1821 I might have voted against the Missouri compromise; it is probable I should have done so; but after it had been passed, and had given peace and quiet to the land for a generation, I was utterly opposed to its disturbance; and if I had been a member of either House of Congress in 1854, I should have voted, and I should have exerted myself to preserve that compromise inviolate. When Kansas was sought to be admitted, and the Lecompton constitution was pressed upon Congress for adoption, I investigated the subject, and I admitted and believed and said publicly and boldly that it was a most outrageous and palpable fraud; and if I had been here in 1858 I should have voted against the admission of Kansas under the Lecompton constitution.

Mr. President, I am here as the humblest member of this body;

but I am here not as a factionist, not as a party man. I belong to no party. I am too old; my remaining years on earth are too few for me ever to expect to wear another party collar. I am here to vote, and to do what I deem to be right upon every question, upon every measure, as it comes up in this House, according to the lights of my information and of my reason. I am utterly opposed to this emancipation. Oh! in the name of our country, as gentlemen hope to restore this Union, to crush out this rebellion, to bring the traitors to justice and to condign punishment, let them suspend until that consummation any policy or measures which introduce discord. Until this war closes in triumphant success, in the glorious reconstruction of the Union, in the assertion of the majesty of the Constitution and the laws, let us have unity and peace among all men who want to bring about these results.

I was pained, and inexpressibly pained, the other day, when my new but most respected friend from Iowa (Mr. Harlan) signified his willingness to put arms in the hands of the slaves. When that is done, I would say to my friend that all hope of the reconstruction of this Union is gone—gone forever. Oh! you do not know what horrors such a measure might produce. Recur to your early reading; examine again in our Library the history of the insurrection in San Domingo, with all its blood and atrocities, the reading of which makes human nature shudder. I have seen men refugees from the servile insurrection of San Domingo, and the living, glowing, horrid colors in which they painted those scenes to me, haunt my memory to this day. Read the accounts of the alarm produced in Richmond many, many years ago by the meditated insurrection by the slave Gabriel; trace the limited, but bloody and frightful course of the more recent servile revolt in Southampton. But a few days since, when England seemed to choose this time of our division and civil war to pick a quarrel with us, both the mother country and Canada sent out a rally cry to the fugitive slaves in her provinces to form themselves into companies and regiments to take part in a war against this country, in invading the United States, and, no doubt, particularly the slave States. When they come as invaders, with arms in their hands, and address to their kindred and their race, who are enslaved by us, words of passion and hate and vengeance, and put arms into their hands, it will be like letting the young tiger taste of blood. When he gets the taste, his savage fury will soon know no bounds, and he will glut every infernal passion.

Sir, I am acquainted with the negro race. I have been born in the same family with them. I have grown up with them. I have played with them. They have shared with me my joys and my sorrows. I have shared with them theirs. I own slaves now. Next to my wife and my children, I would defend my slaves, and would guard them from every wrong; and that is the universal sentiment of the slaveholders in my State. I wish you would come among us and see the institution there. My slaves are not for sale. There is no money that would buy my faithful and contented slaves; and they are all so, so far as I know. I have not seen a slave chastised for twenty years; and it is a rare occurrence that you hear of it in my State. They are clothed well, they are fed well, they are housed well, they have every attention of the most skillful physicians that the members of the white family have. Yes, and in the midst of cholera and pestilence and death, their owners stand by them and share the malaria and the infection with them. I have seen it done again and again. If it was not egotism, I would say that I have performed that part myself, without any regard to consequences or the peril of my life, and I would do it forever.

The perpetual agitation of the slave question is what has brought on this rebellion. I admit that slavery has been one of the causes; a remote cause, but a pretty powerful one. The cotton States, by their slave labor, have become wealthy, and many of their planters have princely revenues—from \$50,000 to \$100,000 a year. This wealth has begot pride and insolence and ambition, and these points of the Southern character have been displayed most insultingly in the halls of Congress. I admit it all. But in these Southern States, and among these planters, are some of the truest gentlemen, in the highest sense of the word, that I have ever known, and some of the purest patriots. I admit, however, that, as a class, the wealthy cotton-growers are insolent; they are proud; they are domineering; they are ambitious. They have monopolized the Government in its honors for forty or fifty years, with few interruptions. When they saw the scepter about to depart from them in the election of Lincoln, sooner than give up office, and the spoils of office, in their mad and wicked ambition they determined to disrupt the old Confederation and to erect a new one, where they would have undisputed power. I am for meeting them in that unholy purpose of theirs. I want them met in battle array. Whenever they send an army in the field, I want that army met and overthrown.

They had some reason to complain of a few old women and fanatical preachers and madmen in the Northern States, who were always agitating this question; but nine out of ten of the Northern people were sound upon the subject. They were opposed to the extension of slavery, and I do not condemn them for that; but they were willing to accord to the slaveholder and to the slave States all their constitutional rights.

I think that the last Congress made a great mistake in not accepting Mr. Crittenden's compromise. It would have left the cotton States without a pretext by which they could have deluded and misled the masses of the people. The last letter that Old Hickory wrote—and there is a gentleman now in this body who has it in his possession—said that the tariff was only a pretext for the disturbance in the form of nullification in 1832-'33; that they meditated treason and a separate Southern empire or confederation; that they only seized that as the pretext for making their outbreak, and that they would next seize upon the slave question as another pretext. They have done so.

Mr. President, both sides have sinned, North and South, the extreme men. I could live by these gentlemen who surround me as neighbors, holding my slaves, and they opposed to the institution. I would do it in the most perfect security, and they would do it without infringing on any of my rights. I know they would; but it is not so with the extreme men; I am afraid it is not so with the gentleman from Massachusetts, to whom I have been addressing some of my remarks. I would fain hope it was so, and I shall rejoice to find that I am mistaken. But what say some of these extreme Northern men about slavery and about the Constitution? Here is what one says:

"The Constitution is a covenant with death and an agreement with hell."—*The Liberator*.

"No union with slaveholders."—*Ibid*.

There is proscription, without condition, inexorable and forever. "No union with slaveholders." It is that fanatical sentiment that has brought many of them to curse and to execrate the memory of Washington, as well as of the Constitution. Here is what another of them has said:

"The anti-slavery party had hoped for and planned disunion because it would lead to the development of mankind and the elevation of the black man."—*Wendell Phillips*.

Phillips gives his sympathies, as the gentleman from Indiana gives his, to the Southern confederation, and he says "the South

deserved to succeed because she had exhibited better statesmanship and more capacity for control." The Abolitionists subscribe to a memorial to Congress that contains this prayer:

"That amid the varied events which are constantly occurring, and which will more and more occur during the momentous struggle in which we are engaged, such measures may be adopted as will insure emancipation."

That is the great end and object for which many of these fanatics contend; it is not the re-establishment of the Constitution. I want the Constitution re-established as Washington made it. In attempting to put down this rebellion and to prevent a revolution, I do not want Congress itself to inaugurate and consummate a revolution. No, Mr. President, let Congress do its duty in this war faithfully, fearlessly. The people are doing theirs; they have come up to the rescue of the imperiled capital and Government as no people ever came up before. Yea, from the east to the west, especially in the free States, they are as one man. Kentucky has been invaded. The Confederate government has avowed that it will have Kentucky and Maryland and Missouri. They proclaimed, when they invaded Kentucky, that Kentucky was necessary to the Southern confederation, and they would have it at the cost of blood and of conquest. I am for meeting them, not only with sword, but with sword and shield, and I am for fighting them to extermination until we beat them back, having profaned so outrageously our soil. Our brothers of the northwestern States, and of the extreme northwestern States, have come to our rescue with a generosity and a devotion and a brotherhood that fill us with admiration and gratitude. Never, oh! never were there more welcome visitants to any country. They have seen us; they have seen our institutions; we have seen them; we have become better acquainted with each other, and we have learned to esteem each other more truthfully and correctly. They are beginning to marry our daughters, and we will send our sons to marry their daughters, and let us establish a union of hearts and a union of hands that will last forever.

Why, Mr. President, Kentucky has almost peopled the northwestern States, especially Indiana and Illinois. I have no doubt that one fourth of the people of Indiana are either native-born Kentuckians or the sons and daughters of native-born Kentuckians. They are bone of our bone and flesh of our flesh. When you offer to the Union men of Kentucky the choice, whether they will remain united forever with Indiana and Ohio and Illinois, or go with Georgia and South Carolina and Florida, they will answer,

"A thousand fold will we be united rather with the Northwest than with those distant States.

They have proved their truth to the Union; they have proved their sympathy and their kindred to us. When they were young, Kentucky sent forth its chivalry, and shed its blood in their defense. In Harmer's and St. Clair's campaigns the unbroken wilderness was made red with the best blood of Kentucky. At Tippecanoe, in 1811, Indiana received from Kentucky the same oblation. In the war of 1812, Ohio, Indiana, and Michigan all had Kentucky blood poured out as water to drive the savage foe, both British and Indian, from their borders; and never, never was there a call upon Kentucky, that her true and brave sons did not go to the defense of their common country in these sister States. We felt that these States owed us something; but oh! how nobly and truthfully and fully are they paying the debt. I have seen mothers and daughters, fathers and sons—the whole population assembled all through my portion of Kentucky to meet and to greet these coming hosts from Ohio and Indiana, to protect their Government, and to protect that State which had protected them in bygone days. And oh! what meetings they were, what an outpouring of the heart and of all its truest and best sympathies! I have been in their camps, I have mingled with their officers, I have conversed with their soldiers, I have addressed their regiments; they have elected me honorary member of their regiments. I know your Cills and your Nortons, your Harrises, your Heckers, foreigners and natives, who are commanders of these regiments. I know that they have as nine to one expressed to me that their purpose, and their only purpose in waging this war, was the restoration of the Union and the vindication of the Government, and not to war upon slavery. Thus writes one of them from the camp at Glenn's Fork, Pulaski County, and no doubt this gallant son of Indiana was in the late hard-fought battle there.

"As an Indianian, and a member of the army of the Union, I can not fail to express my satisfaction at the just and conservative course of the *Louisville Journal* on the slavery question. Indiana is not fighting for the emancipation of the slaves, but for the restoration of law and order. When that shall have been accomplished, our mission is ended.

"Out of the officers and soldiers of the Tenth Indiana, I do not know of one Abolitionist. If Congress would legislate for the benefit of *white men*, and let the negro alone, it would be better."

And oh! how much better it would be! That is the instinct of truth and patriotism, of mind and heart; and that utterance nine tenths of the soldiery of the Northwest speak and will speak for-

ever. If, sir, you had proposed your measure before this grand and all-conquering army had been collected together, and told them it was to be a war upon slavery, you would never have had one fourth of the host in the field that you have. When a party wins power, the best way to preserve it is to use it in moderation, and especially within the Constitution. Fanaticism and passion and excitement never did and never will wisely legislate for or govern any country. Senators, you are supposed to act, not from passion and a desire of vengeance and to punish, but from reason and patriotism, and right and truth, and eternal justice. If you act upon these principles, and allay the swelling passions as they rise in your bosoms, I am not afraid to trust you.

But, Mr. President, these fanatics, these political and social demons—your Greeleys, your Cheevers, your Phillipses, and your Garrisons—that come here, like spirits from the infernal regions, to bring another pandemonium into our councils, to violate the Constitution, to walk to the destruction of slavery over all its broken fragments, and to oppose Lincoln, as honest and as pure a man as lives, because he does not go with them in their extreme opposition to slavery—what ought to be done with them? The utterances which I have read to you they have dared to give in this city. They have desecrated the Smithsonian Institution to the utterance of such sentiments. If secessionists or those who sympathize with them had made the same utterances, they would have been sent, and properly sent, to Fort Lafayette or to Fort Warren. What should you do with these monsters? I will tell you what I would do with them; that horrid monster, Greeley, and those other monsters, who are howling over this city like famished wolves after slavery—that slavery which was established by the Constitution and by Washington. What should be done with them? If I had the power, I would take them with the worst “secesh,” and I would hang them in pairs. [Sensation.] I wish before God that I could inflict that punishment upon them. It would not be too severe. They are the agitators; they are disunionists; they are the madmen who are willing to call up all the infernal passions and all the horrors of servile war, and to disregard utterly the Constitution, and march triumphantly over its broken, disjected fragments to attain their unholy purposes, and I am too fearful that the honorable gentleman from Massachusetts sympathizes with them.

Mr. President, I most humbly ask the pardon of the Senate for

this desultory, lengthy, and discursive discourse. I trust I have wounded the feelings of no gentleman. It was not my purpose to do so; it was far from my purpose. I want the Union restored. If it is to be restored, it is by the instrumentality of the President of the United States. In his integrity and patriotism and truth I place implicit confidence. He is a moderate man in his principles. He is a just man. He is a wise man. If he were left to his own counsels, to the suggestions of his own reason, to the impulses of his own heart, if he had a little more of the stern and iron element of a Clay or an "Old Hickory," and would act out his own will, and repress the men whose pestilent counsels distract him and neutralize his efforts to bring this war to a speedy and to a triumphant close, I think that he would act his part more nobly and with more success. So far as I am concerned, he has my confidence and my respect. I can clothe him with no power by my vote to carry on this war vigorously and successfully, within the Constitution, that I will withhold from him. I want the aid of Black Republicans and Republicans and Democrats and all, in this holy work. I care not what laurels and honors and hopes of future emolument and office any man may win.

I admired, beyond measure almost, the dead hero Lyon. In my judgment, he showed himself more of a warrior than any man who has yet exhibited himself in the field during this struggle. The moment that he detected the purposes of Camp Jackson at St. Louis, he moved upon it and captured it and all of its hosts. When the traitor Jackson, the disloyal governor of Missouri, issued his treasonable proclamation, and fled toward Booneville, the active, the dauntless, and the military Lyon was after him with his army, and overtook and dispersed his hosts to the wind. He and Sigel, a foreigner, but a warrior, himself a man of military education, a genius naturally, met the foe at Carthage, and fought a small battle, but one of the most perfect battles, in my judgment, of which history gives any record. Then the enemy returned in a vast host to Springfield. With an inferior army, Lyon and Sigel met them again. Two regiments were at Rolla that ought to have been sent to reinforce them, but they were not sent; if they had been, our arms might have won the day. Lyon, to save the cause of his country and of Missouri, made the battle. He rushed into the thickest of the fight, and he fell a voluntary martyr to his country's cause, and then Sigel made one of the most masterly retreats that I have read of. I wish that that dead hero was now

alive, again to marshal our armies to victory and to help to deliver the country from its imperiled condition. Mr. President, let any warrior come who has capacity to bring it to a close or to contribute materially to its success, I care not what his politics, I give him my faith, my support, my admiration, my gratitude, and so will my State, or the Union portion of it. We want the assistance of everybody, of every Union man to bring this war to a close, and we trusted, before I left home, and I still trust, that these discordant questions, these measures which must divide us, will be left unattempted, at least until the war has crushed out the most wicked and infamous rebellion that ever was made in the tide of time.

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## AFRICAN SLAVERY,

### THE CORNER-STONE OF THE SOUTHERN CONFEDERACY.

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*A Speech by Hon. Alexander H. Stephens, Vice-President of the Confederate States of America, delivered at the Atheneum, Savannah, March 22, 1861.*

The Mayor, who presided, introduced the speaker with a few pertinent remarks, and Mr. Stephens was greeted with deafening rounds of applause, after which he spoke as follows:

MR. MAYOR AND GENTLEMEN OF THE COMMITTEE, AND FELLOW-CITIZENS—For this reception, you will please accept my most profound and sincere thanks. The compliment is doubtless intended as much, or more perhaps, in honor of the occasion, and my public position in connection with the great events now crowding upon us, than to me personally and individually. It is, however, none the less appreciated on that account. We are in the midst of one of the greatest epochs in our history. The last ninety days will mark one of the most memorable eras in the history of modern civilization.

[There was a general call from the outside of the building for the speaker to go out; that there were more outside than in. The Mayor rose and requested silence at the doors; said Mr. Stephens's health would not permit him to speak in the

open air. Mr. Stephens said he would leave it to the audience whether he should proceed indoors or out. There was a general cry indoors, as the ladies—a large number of whom were present—could not hear outside. Mr. Stephens said that the accommodation of the ladies would determine the question, and he would proceed where he was. At this point the uproar and clamor outside were greater still for the speaker to go out on the steps. This was quieted by Col. Lawton, Col. Foreman, Judge Jackson, and Mr. J. W. Owens, going out and stating the facts of the case to the dense mass of men, women, and children who were outside, and entertaining them in short, brief speeches, Mr. Stephens all this time quietly sitting down until the furor subsided.]

Mr. Stephens rose and said—When perfect quiet is restored I shall proceed. I can not speak as long as there is any noise or confusion. I shall take my time. I feel as though I could spend the night with you, if necessary. [Loud applause.] I very much regret that every one who desires can not hear what I have to say, not that I have any display to make, or anything very entertaining to present; but such views as I have to give I wish *all*, not only in this city, but in this State, and throughout our Confederate Republic, could hear, who have a desire to hear them.

I was remarking that we were passing through one of the greatest revolutions in the annals of the world. Seven States have, within the last three months, thrown off an old government, and formed a new. This revolution has been signally marked, up to this time, by the fact of its having been accomplished without the loss of a single drop of blood. [Applause.] This new constitution, or form of government, constitutes the subject to which your attention will be partly invited.

In reference to it, I make this first general remark: It amply secures all our ancient rights, franchises, and privileges. All the great principles of Magna Charta are retained in it. No citizen is deprived of life, liberty, or property but by the judgment of his peers, under the laws of the land. The great principle of religious liberty, which was the honor and pride of the old Constitution, is still maintained and secured. All the essentials of the old Constitution, which have endeared it to the hearts of the American people, have been preserved and perpetuated. [Applause.] Some changes have been made; of these I shall speak presently. Some of these I should have preferred not to have been made, but these perhaps meet the cordial approbation of a majority of this audience, if not an overwhelming majority of the people of the Confederacy. Of them, therefore, I will not speak. But other important changes do meet my cordial approbation. They form great improvements on the old Constitution. So, taking the whole new Constitution, I have no hesitancy in giving it as my judgment that it is decidedly better than the old. [Applause.] Allow me

briefly to allude to some of these improvements. The question of building up class interests, or fostering one branch of industry to the prejudice of another, under the exercise of the revenue power, which gave us so much trouble under the old Constitution, is put at rest forever under the new. We allow the imposition of no duty with a view of giving advantages to one class of persons, in any trade or business, over those of another. All, under our system, stand upon the same broad principles of perfect equality. Honest labor and enterprise are left free and unrestricted in whatever pursuit they may be engaged. This subject came well nigh causing a rupture of the old Union, under the lead of the gallant Palmetto State, which lies on our border, in 1833.

This old thorn of the tariff, which occasioned the cause of so much irritation in the old body politic, is removed forever from the new. [Applause.] Again, the subject of internal improvements, under the power of Congress to regulate commerce, is put at rest under our system. The power claimed by construction under the old Constitution was, at least, a doubtful one—it rested solely upon construction. We, of the South, generally apart from considerations of constitutional principles, opposed its exercise upon grounds of expediency and justice. Notwithstanding this opposition, millions of money in the common Treasury had been drawn for such purposes. Our opposition sprung from no hostility to commerce, or all necessary aids for facilitating it. With us it was simply a question upon *whom* the burden should fall. In Georgia, for instance, we had done as much for the cause of internal improvements as any other portion of the country, according to population and means. We have stretched out lines of railroads from the seaboard to the mountains; dug down the hills and filled up the valleys at a cost of not less than \$25,000,000. All this was done to open up an outlet for our products of the interior, and those to the west of us, to reach the marts of the world. No State was in greater need of such facilities than Georgia, but we had not asked that these works should be made by appropriations out of the common Treasury. The cost of the grading, the superstructure, and equipments of our roads was borne by those who entered upon the enterprise. Nay, more, not only the cost of the iron, no small item in the aggregate cost, was borne in the same way, but we were compelled to pay into the common Treasury several millions of dollars for the privilege of importing the iron after the price was paid for it abroad. What

justice was there in taking this money, which our people paid into the common Treasury on the importation of our iron, and applying it to the improvement of rivers and harbors elsewhere?

The true principle is, to subject commerce of every locality to whatever burdens may be necessary to facilitate it. If Charleston harbor needs improvement, let the commerce of Charleston bear the burden. If the mouth of the Savannah River has to be cleared out, let the sea-going navigation which is benefited by it bear the burden. So with the mouths of the Alabama and Mississippi rivers. Just as the products of the interior, our cotton, wheat, corn, and other articles have to bear the necessary rates of freight over our railroads to reach the seas. This is again the broad principle of perfect equality and justice. [Applause.] And it is specially held forth and established in our new Constitution.

Another feature to which I will allude is, that the new Constitution provides that cabinet ministers and heads of departments shall have the privilege of seats upon the floor of the Senate and House of Representatives—shall have the right to participate in the debates and discussions upon the various subjects of administration. I should have preferred that this provision should have gone further, and allowed the President to select his constitutional advisers from the Senate and House of Representatives. That would have conformed entirely to the practice in the British Parliament, which, in my judgment, is one of the wisest provisions in the British Parliament. It is the only feature that saves that government. It is that which gives it stability in its facility to change its administration. Ours, as it is, is a great approximation to the right principle.

Under the old Constitution a secretary of the Treasury, for instance, had no opportunity, save by his annual reports, of presenting any scheme or plan of finance or other matter. He had no opportunity of explaining, expounding, enforcing, or defending his views of policy; his only resort was through the medium of an organ. In the British Parliament the premier brings in his budget, and stands before the nation responsible for its every item. If it is indefensible, he falls before the attacks upon it, as he ought to. This will now be the case to a limited extent under our system. Our heads of departments can speak for themselves and the administration, in behalf of its entire policy, without resorting to the indirect and highly objectionable medium of a newspaper. It

is to be greatly hoped that under our system we shall never have what is known as a government organ. [Rapturous applause.]

[A noise again arose from the clamor of the crowd outside, who wished to hear Mr. Stephens, and for some moments interrupted him. The Mayor rose and called on the police to preserve order. Quiet being restored, Mr. S. proceeded.]

Another change in the Constitution relates to the length of the tenure of the Presidential office. In the new Constitution it is six years instead of four, and the President rendered ineligible for re-election. This is certainly a decidedly conservative change. It will remove from the incumbent all temptation to use his office or exert the powers confided to him for any objects of personal ambition. The only incentive to that higher ambition which should move and actuate one holding such high trusts in his hands will be the good of the people, the advancement, prosperity, happiness, safety, honor, and true glory of the Confederacy. [Applause.]

But not to be tedious in enumerating the numerous changes for the better, allow me to allude to one other—though last, not least: The new Constitution has put at rest, *forever*, all agitating questions relating to our peculiar institution—African slavery as it exists among us—the proper *status* of the negro in our form of civilization. This was the immediate cause of the late rupture and present revolution. Jefferson, in his forecast, had anticipated this, as the “rock upon which the old Union would split.” He was right. What was conjecture with him is now a realized fact. But whether he fully comprehended the great truth upon which that rock *stood* and *stands*, may be doubted. The prevailing ideas entertained by him and most of the leading statesmen at the time of the formation of the old Constitution were, that the enslavement of the African was in violation of the laws of nature; that it was wrong in *principle*, socially, morally, and politically. It was an evil they knew not well how to deal with, but the general opinion of the men of that day was that, somehow or other, in the order of Providence, the institution would be evanescent and pass away. This idea, though not incorporated in the Constitution, was the prevailing idea at the time. The Constitution, it is true, secured every essential guaranty to the institution while it should last, and hence no argument can be justly used against the constitutional guaranties thus secured, because of the common sentiment of the day. Those ideas, however, were fundamentally wrong. They rested upon the assumption of the equality of races. This was an

error. It was a sandy foundation, and the idea of a government built upon it; when the "storm came and the wind blew, it fell."

Our new government is founded upon exactly the opposite idea; its foundations are laid, its corner-stone rests upon the great truth that the negro is not equal to the white man. That slavery—subordination to the superior race—is his natural and moral condition. [Applause.]

This, our new government, is the first in the history of the world based upon this great physical, philosophical, and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science. It has been so even among us. Many who hear me, perhaps, can recollect well that this truth was not generally admitted even within their day. The errors of the past generation still clung to many as late as twenty years ago. Those at the North who still cling to these errors, with a zeal above knowledge, we justly denominate fanatics. All fanaticism springs from an aberration of the mind—from a defect in reasoning. It is a species of insanity. One of the most striking characteristics of insanity, in many instances, is forming correct conclusions from fancied or erroneous premises; so with the anti-slavery fanatics; their conclusions are right, if their premises are. They assume that the negro is equal, and hence conclude that he is entitled to equal privileges and rights with the white man. If their premise were correct, their conclusion would be logical and just; but their premise being wrong, their whole argument fails. I recollect once of having heard a gentleman from one of the Northern States, of great power and ability, announce in the House of Representatives, with imposing effect, that we of the South would be compelled, ultimately, to yield upon this subject of slavery; that it was as impossible to war successfully against a principle in politics, as it was in physics or mechanics. That the principle would ultimately prevail. That we, in maintaining slavery as it exists with us, were warring against a principle, a principle founded in nature, the principle of the equality of man. The reply I made to him was, that upon his own grounds we should succeed, and that he and his associates in their crusades against our institutions, would ultimately fail. The truth announced that it was as impossible to war successfully against a principle in politics as in physics and mechanics, I admitted, but told him that it was he and those acting with him who were war-

ring against a principle. They were attempting to make things equal which the Creator had made unequal.

In the conflict thus far, success has been on our side, complete throughout the length and breadth of the Confederate States. It is upon this, as I have stated, our social fabric is firmly planted, and I can not permit myself to doubt the ultimate success of a full recognition of this principle throughout the civilized and enlightened world.

As I have stated, the truth of this principle may be slow in development, as all truths are, and ever have been, in the various branches of science. It was so with the principles announced by Galileo; it was so with Adam Smith and his principles of political economy. It was so with Harvey and his theory of the circulation of the blood. It is stated that not a single one of the medical profession, living at the time of the announcement of the truths made by him, admitted them. Now, they are universally acknowledged. May we not, therefore, look with confidence to the ultimate universal acknowledgment of the truths upon which our system rests? It is the first government ever instituted upon principles in strict conformity to nature, and the ordination of Providence, in furnishing the materials of human society. Many governments have been founded upon the principle of the enslavement of certain classes; but the classes thus enslaved were of the same race and in violation of the laws of nature. Our system commits no such violation of nature's laws. The negro by nature, or by the curse against Canaan, is fitted for that condition which he occupies in our system. The architect, in the construction of buildings, lays the foundation with proper materials—the granite—then comes the brick or the marble. The substratum of our society is made of the material fitted by nature for it, and by experience we know that it is best not only for the superior, but for the inferior race that it should be so. It is, indeed, in conformity with the ordinance of the Creator. It is not for us to inquire into the wisdom of His ordinances or to question them. For His own purposes He has made one race to differ from another, as He has made "one star to differ from another in glory."

The great objects of humanity are best attained, when conformed to His laws and decrees, in the formation of governments as well as in all things else. Our Confederacy is founded upon principles in strict conformity with these laws. This stone which was rejected by the first builders, "is become the chief stone of the corner" in our new edifice. [Applause.]

I have been asked, what of the future? It has been apprehended by some that we would have arrayed against us the civilized world. I care not who or how many they may be, when we stand upon the eternal principles of truth we are obliged and must triumph. [Immense applause.]

Thousands of people who begin to understand these truths are not yet completely out of the shell. They do not see them in their length and breadth. We hear much of the civilization and Christianization of the barbarous tribes of Africa. In my judgment, those ends will never be attained, but by first teaching them the lesson taught to Adam, that "in the sweat of thy brow shalt thou eat bread" [applause], and teaching them to work, and feed, and clothe themselves. But to pass on: some have propounded the inquiry, whether it is practicable for us to go on with the Confederacy without further accessions? Have we the means and ability to maintain nationality among the powers of the earth? On this point I would barely say, that as anxiously as we all have been and are for the Border States, with institutions similar with ours, to join us, still we are abundantly able to maintain our position, even if they should ultimately make up their minds not to cast their destiny with ours. That they ultimately will join us—be compelled to do it—is my confident belief, but we can get on very well without them, even if they should not.

We have all the essential elements of a high national career. The idea has been given out at the North, and even in the Border States, that we are too small and too weak to maintain a separate nationality. This is a great mistake. In extent of territory we embrace 564,000 square miles and upward. This is upward of 200,000 square miles more than was included within the limits of the original thirteen States. It is an area of country more than double the territory of France or the Austrian Empire. France, in round numbers, has but 212,000 square miles. Austria, in round numbers, has 248,000 square miles. Ours is greater than both combined. It is greater than all France, Spain, Portugal, and Great Britain, including England, Ireland, and Scotland together. In population we have upward of eight millions, according to the census of 1860; this includes white and black. The entire population, including white and black, of the original thirteen States, was less than 4,000,000 in 1790, and still less in '76, when the independence of our fathers was achieved. If they, with a less population, dared maintain their independence against the greatest

power on earth, shall we have any apprehension of maintaining ours now ?

In point of material wealth and resources we are greatly in advance of them. The taxable property of the Confederate States can not be less than \$22,000,000,000. This, I think, I venture but little in saying, may be considered as five times more than the colonies possessed at the time they achieved their independence. Georgia alone possessed last year, according to the report of our Controller-General, \$672,000,000 of taxable property. The debts of the seven Confederate States sum up, in the aggregate, less than \$18,000,000; while the existing debts of the other of the late United States sum up, in the aggregate, the enormous amount of \$174,000,000. This is without taking into the account the heavy city debts, corporation debts, and railroad debts, which press, and will continue to press, a heavy incubus upon the resources of those States. These debts, added to others, make a sum total not much under \$500,000,000. With such an area of territory—with such an amount of population—with a climate and soil unsurpassed by any on the face of the earth—with such resources already at our command—with productions which control the commerce of the world, who can entertain any apprehensions as to our success, whether others join us or not ?

It is true, I believe, I state but the common sentiment, when I declare my earnest desire that the Border States should join us. The differences of opinion that existed among us anterior to secession related more to the policy in securing that result by co-operation than from any difference upon the ultimate security we all looked to in common.

These differences of opinion were more in reference to policy than principle, and as Mr. Jefferson said in his inaugural, in 1801, after the heated contest preceding his election, there might be differences in opinion without differences in principle, and that all, to some extent, had been Federalists and all Republicans; so it may now be said of us, that whatever differences of opinion as to the best policy in having a co-operation with our border sister Slave States, if the worst come to the worst, that as we were all co-operationists, we are now all for independence, whether they come or not. [Continued applause.]

In this connection I take this occasion to state that I was not without grave and serious apprehension, that if the worst came to the worst, and cutting loose from the old government would be

the only remedy for our safety and security, it would be attended with much more serious ills than it has been as yet. Thus far we have seen none of those incidents which usually attend revolutions. No such material as such convulsions usually throw up has been seen. Wisdom, prudence, and patriotism have marked every step of our progress thus far. This augurs well for the future, and it is a matter of sincere gratification to me, that I am enabled to make the declaration of the men I met in the Congress at Montgomery (I may be pardoned for saying this), an abler, wiser—a more conservative, deliberate, determined, resolute, and patriotic body of men I never met in my life. [Great applause.] Their works speak for them; the Provisional Government speaks for them; the Constitution of the permanent Government will be a lasting monument of their worth, merit, and statesmanship. [Applause.]

But to return to the question of the future. What is to be the result of this revolution?

Will everything, commenced so well, continue as it has begun? In reply to this anxious inquiry, I can only say it all depends upon ourselves. A young man starting out in life on his majority, with health, talent, and ability, under a favoring Providence, may be said to be the architect of his own fortunes. His destinies are in his own hands. He may make for himself a name of honor or dishonor, according to his own acts. If he plants himself upon truth, integrity, honor, and uprightness, with industry, patience, and energy, he can not fail of success. So it is with us; we are a young Republic, just entering upon the arena of nations; we will be the architect of our own fortunes. Our destiny, under Providence, is in our own hands. With wisdom, prudence, and statesmanship on the part of our public men, and intelligence, virtue, and patriotism on the part of the people, success, to the full measures of our most sanguine hopes, may be looked for. But if we become divided—if schisms arise—if dissensions spring up—if factions are engendered—if party spirit, nourished by unholy personal ambition, shall rear its hydra head, I have no good to prophesy for you. Without intelligence, virtue, integrity, and patriotism on the part of the people, no republic or representative government can be durable or stable.

We have intelligence, and virtue, and patriotism. All that is required is to cultivate and perpetuate these. Intelligence will not do without virtue. France was a nation of philosophers. These philosophers became Jacobins. They lacked that virtue, that de-

votion to moral principle, and that patriotism which is essential to good government. Organized upon principles of perfect justice and right—seeking amity and friendship with all other powers—I see no obstacle in the way of our upward and onward progress. Our growth, by accessions from other States, will depend greatly upon whether we present to the world, as I trust we shall, a better government than that to which they belong. If we do this, North Carolina, Tennessee, and Arkansas can not hesitate long; neither can Virginia, Kentucky, and Missouri. They will necessarily gravitate to us by an imperious law. We made ample provision in our Constitution for the admission of other States; it is more guarded, and wisely so, I think, than the old Constitution on the same subject, but not too guarded to receive them as fast as it may be proper. Looking to the distant future, and, perhaps, not very distant either, it is not beyond the range of possibility, and even probability, that all the great States of the Northwest shall gravitate this way as well as Tennessee, Kentucky, Missouri, Arkansas, etc. Should they do so, our doors are wide enough to receive them, but not until they are ready to assimilate with us in principle.

The process of disintegration in the old Union may be expected to go on with almost absolute certainty. We are now the nucleus of a growing power, which, if we are true to ourselves, our destiny, and high mission, will become the controlling power on this continent. To what extent accession will go on in the process of time, or where it will end, the future will determine. So far as it concerns States of the old Union, they will be upon no such principle of *reconstruction* as now spoken of, but upon *reorganization* and new assimilation. [Loud applause.] Such are some of the glimpses of the future as I catch them.

But at first we must necessarily meet with the inconveniences, and difficulties, and embarrassments incident to all changes of government. These will be felt in our postal affairs and changes in the channel of trade. These inconveniences, it is to be hoped, will be but temporary, and must be borne with patience and forbearance.

As to whether we shall have war with our late confederates, or whether all matters of differences between us shall be amicably settled, I can only say that the prospect for a peaceful adjustment is better, so far as I am informed, than it has been.

The prospect of war is at least not so threatening as it has been.

The idea of coercion shadowed forth in President Lincoln's Inaugural seems not to be followed up thus far so vigorously as was expected. Fort Sumter, it is believed, will soon be evacuated. What course will be pursued toward Fort Pickens and the other forts on the Gulf, is not so well understood. It is to be greatly desired that all of them should be surrendered. Our object is *Peace*, not only with the North, but with the world. All matters relating to the public property, public liabilities of the Union when we were members of it, we are ready and willing to adjust and settle, upon the principles of right, equality and good faith. War can be of no more benefit to the North than to us. The idea of coercing us, or subjugating us, is utterly preposterous. Whether the intention of evacuating Fort Sumter is to be received as an evidence of a desire for a peaceful solution of our difficulties with the United States, or the result of necessity, I will not undertake to say. I would fain hope the former. Rumors are afloat, however, that it is the result of necessity. All I can say to you, therefore, on that point is, keep your armor bright and your powder dry. [Enthusiastic applause.]

The surest way to secure peace is to show your ability to maintain your rights. The principles and position of the present Administration of the United States—the Republican party—present some puzzling questions. While it is a fixed principle with them never to allow the increase of a foot of slave territory, they seem to be equally determined not to part with an inch “of the accursed soil.” Notwithstanding their clamor against the institution, they seem to be equally opposed to getting more, or letting go what they have got. They were ready to fight on the accession of Texas, and are equally ready to fight now on her secession. Why is this? How can this strange paradox be accounted for? There seems to be but one rational solution, and that is, notwithstanding their professions of humanity, they are disinclined to give up the benefits they derive from slave labor. Their philanthropy yields to their interest. The idea of enforcing the laws has but one object, and that is a collection of the taxes raised by slave labor to swell the fund necessary to meet their heavy appropriations. The spoils is what they are after, though they come from the labor of the slave. [Continued applause.]

Mr. Stephens reviewed at some length the extravagance and profligacy of appropriations by the Congress of the United States for several years past, and in this connection took occasion to

allude to another one of the great improvements in our new Constitution, which is a clause prohibiting Congress from appropriating any money from the Treasury except by a two-thirds vote, unless it be for some object which the Executive may say is necessary to carry on the Government.

When it is thus asked for and estimated, he continued, the majority may appropriate. This was a new feature.

Our fathers had guarded the assessment of taxes by insisting that representation and taxation should go together. This was inherited from the mother country—England. It was one of the principles upon which the Revolution had been fought. Our fathers also provided in the old Constitution that all appropriation bills should originate in the Representative branch of Congress; but our new Constitution went a step further, and guarded not only the pockets of the people, but also the public money, after it was taken from their pockets.

He alluded to the difficulties and embarrassments which seemed to surround the question of a peaceful solution of the controversy with the old Government. How can it be done? is perplexing many minds. The President seems to think that he can not recognize our independence, nor can he, with and by the advice of the Senate, do so. The Constitution makes no such provision. A general convention of all the States has been suggested by some. Without proposing to solve the difficulty, he barely made the following suggestions:

That as the admission of States by Congress under the Constitution was an act of legislation, and in the nature of a contract or compact between the States admitted and the others admitting, why should not this contract or compact be regarded as of like character with all other civil contracts—liable to be rescinded by mutual agreement of both parties? The seceding States have rescinded it on their part. Why can not the whole question be settled, if the North desire peace, simply by the Congress, in both branches, with the concurrence of the President, giving their consent to the separation, and a recognition of our independence? This he merely offered as a suggestion, as one of the ways in which it might be done with much less violence to constructions of the Constitution than many other acts of that Government. [Applause.] The difficulty has to be solved in some way or other—this may be regarded as a fixed fact.

Several other points were alluded to by Mr. S., particularly as to

the policy of the new Government toward foreign nations and our commercial relations with them. Free trade, as far as practicable, would be the policy of this Government. No higher duties would be imposed on foreign importation than would be necessary to support the Government upon the strictest economy.

In olden times the olive branch was considered the emblem of peace. We will send to the nations of the earth another and far more potential emblem of the same—the COTTON PLANT. The present duties were levied with a view of meeting the present necessities and exigencies, in preparation for war, if need be; but if we had peace—and he hoped we might—and trade should resume its proper course, a duty of ten per cent. upon foreign importations, it was thought, might be sufficient to meet the expenditures of the Government. If some articles should be left on the free list, as they now are, such as breadstuffs, etc., then, of course, duties upon others would have to be higher—but in no event to an extent to embarrass trade and commerce. He concluded in an earnest appeal for union and harmony, on the part of all the people, in support of the common cause, in which we are all enlisted, and upon the issues of which such great consequences depend.

If, said he, we are true to ourselves, true to our cause, true to our destiny, true to our high mission, in presenting to the world the highest type of civilization ever exhibited by man, there will be found in our lexicon no such word as Fail.

Mr. Stephens took his seat amid a burst of enthusiasm and applause such as the Atheneum has never displayed within its walls within “the recollection of the oldest inhabitant.”

# THE WAR:

## A SLAVE UNION OR A FREE?

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*Speech of Hon. Martin F. Conway, of Kansas, delivered in the House of Representatives, Thursday, December 12, 1861. Revised by the Author.*

MR. SPEAKER—It is a source of much regret to the country that the war should not be conducted with more effect than has so far characterized it. While few feel authorized to question the present delay of effective operations, or deny its necessity, all are profoundly dissatisfied with the fact itself. The war has already been protracted beyond the limit which the public mind, at the outset, fixed for its termination, assuming gigantic proportions, and involving expense of life and treasure not apprehended when the struggle began.

The original object of the country was to put down a rebellion, not to inaugurate a regular war. The authority to make war being not with the President, but with Congress, it was in recognition of his right to suppress insurrection merely that the volunteer soldiery of the country responded to his call, when the Government was menaced with destruction. The intention of Congress, in voting such extraordinary supplies of men and money, was the same.

The spirit of the lamented General Lyon, manifested in the vigorous and summary manner with which he subdued the earlier secession movements in Missouri, was that in which the whole nation impatiently sympathized. It wanted the authority of the Government exerted with decision and effect, so that rebellion should be crushed in the shell, and not permitted to hatch into revolution. But the course of the Government has not corresponded with the ardor of the people. The conflict has now been progressing nine months, and has changed its character from an attempt to destroy an insurrection into a deliberate and settled war.

Up to the present time we have not encountered the enemy in a single engagement of importance in which we have won an unquestionable victory. At Bethel, at Manassas, at Springfield, at Leesburg, and at Belmont, we have been defeated. Saving two expeditions to our Southern coast, the Federal arms have been

everywhere overborne, notwithstanding our volunteers have displayed a gallantry rarely equaled even by veteran troops.

This fruitless campaign has resulted in defeating the original purpose of the country; and the rebels have secured, under the recognition of nations, a belligerent character, in derogation of their responsibilities to the Federal Union.

The character thus confirmed to the rebellious States gives them a position they could not hold under the Federal Constitution. In point of fact, it confers upon them a recognized status among nations to make war upon that Constitution. Why, then, does it not also exonerate the Federal Government from any obligation to them dependent upon that instrument? How can they have rights under the Constitution the Government is bound to respect, while they are enjoying the rights of belligerents arising from incompatible relations? It is impossible to appreciate the logic requiring us to treat them as sister States, respecting rights as such, while they are warring upon us as a foreign enemy. It certainly would be more just as well as correct to claim them as rebel States, with such a belligerent character as releases us from any obligation to respect their Federal status.

In fact and principle, their character as belligerents fixes their status, and not our common Constitution. Its authority is as to them suspended. No United States officer has exercised his functions in any of those States for nine months. During this period we have been powerless there to give protection in any shape to life and property. Through an organization styled the "Confederate States Government," a military power has exhibited itself, which, embodying the force of that section, exercises civil administration, and disputes our sway. The following from Vattel is precisely to the point:

"When a nation becomes divided into two parties, absolutely independent, and no longer acknowledging a common superior, the state is dissolved, and the war between the two parties stands upon the same ground, in every respect, as a public war between two different nations."—*Book III., chap. 17, p. 423.*

This is in reality the principle now governing the case, whatever may appear to the contrary. We have established a blockade of the Southern coast as against a public enemy, under international law. We have been meeting the Confederate authorities for months and holding relations with them through the medium of a flag of truce—a symbol authorized only by public law. We hold in our hands hundreds of their prisoners, including some of their most eminent men, whom we do not try for treason, but are exchanging for our own friends held as prisoners of war by them.

We have arrested their ambassadors, under the British flag on the high sea, for which we have no justification except on the assumption that they were envoys from a public enemy, recognized as such by the law of nations.

The action of our Government in all these matters is necessarily based on the theory that the Confederate States (so called) are beyond the jurisdiction of the Union, holding a middle ground, subject to the issue of the pending conflict. I do not see that there is any possibility of getting away from this conclusion.

The work of the Government, at its present stage, is not, therefore, suppression of insurrection, in any just sense; but the overthrow of a rebellious belligerent power. Its success does not signify the execution of the terms of an existing government in the seceded States—remitting them to their original status in the Union; but implies their subjugation to the sovereignty of the United States, to be held as Territories, or military dependencies, or States, or anything else we please. This is clearly the present attitude of the case.

Now the evil of our system is the institution of slavery. Conflicting with the rights of human nature, it is required to grasp, monopolize, and exercise power despotically, in order to perpetuate its own existence. It has been to us a prolific source of national disaster. It is the sustaining cause, the object, and chief resource of this rebellion; at the same time that it is the point at which the most fatal blow may be inflicted upon it.

The abolition of slavery is no longer a "contraband" proposition. It has been elevated by events into a measure of widespread public importance, demanding the favorable consideration of statesmen. It is no longer the shibboleth of a sect or party, but the overruling necessity of a nation. To retain slavery, under existing circumstances, in our body politic, would, in my judgment, evince the very worst kind of folly or wickedness. To eliminate it forever should be the unwavering determination of the Government.

Nevertheless, the Administration refuses to heed such counsel, and persists in regarding the institution as shielded by such constitutional sanction as it is not at liberty to infract.

The President, in his recent message to Congress, refers only incidentally to the subject, and indicates no policy whatever for dealing with the momentous question.

In the recent orders of the Secretary of War to Generals in the field, and other official documents and acts, the principles upon

which the subject is to be regulated are, however, set forth. In an order to Major-General Butler, dated May 30, 1861, the Secretary of War says:

"While, therefore, you will permit no interference by the persons under your command with the relations of persons held to service under the laws of any State, you will, on the other hand, so long as any State within which your military operations are conducted, is under the control of such armed combinations, refrain from surrendering to alleged masters any persons who may come within your lines. You will employ such persons in the services to which you they be best adapted, keeping an account of the labor by them performed, of the value of it, and of the expenses of their maintenance."

In another order to General Butler, dated August 8, 1861, the Secretary declares:

"It is the desire of the President that all existing rights in all the States be fully respected and maintained. The war now prosecuted on the part of the Federal Government is a war for the Union, and for the preservation of all constitutional rights of States, and the citizens of the States in the Union." \* \* \*

"Under these circumstances, it seems quite clear that the substantial rights of loyal masters will be best protected by receiving such fugitives, as well as fugitives from disloyal masters, into the service of the United States, and employing them under such organizations and in such occupations as circumstances may suggest or require. Of course, a record should be kept, showing the name and description of the fugitives; the name and character, as loyal or disloyal, of the master; and such facts as may be necessary to a correct understanding of the circumstances of each case after tranquillity shall have been restored."

An order to Brigadier-General Sherman, commanding the land forces of the United States in the recent expedition to Port Royal, dated October 14, 1861, is as follows:

"SIR—In conducting military operations within States declared, by the proclamation of the President, to be in a state of insurrection, you will govern yourself, so far as persons held to service under the laws of such States are concerned, by the principles of the letters addressed by me to Major-General Butler, on the 30th of May and the 8th of August, copies of which are herewith furnished to you. As special directions, adapted to special circumstances, can not be given, much must be referred to your own discretion as commanding general of the expedition. You will, however, in general avail yourself of the services of any persons, whether fugitives from labor or not, who may offer them to the National Government; you will employ such persons in such services as they may be fitted for, either as ordinary employees, or, if special circumstances seem to require it, in any other capacity, in such organization, in squads, companies, or otherwise, as you may deem most beneficial to the service. This, however, not to mean a general arming of them for military service. You will assure all loyal masters that Congress will provide just compensation to them for the loss of the services of the persons so employed. It is believed that the course thus indicated will best secure the substantial rights of loyal masters, and the benefits to the United States of the services of all disposed to support the Government, while it avoids all interference with the social systems or local institutions of every State beyond that which insurrection makes unavoidable, and which a restoration of peaceful relations to the Union, under the Constitution, will immediately remove.

Respectfully,

SIMON CAMERON,

*Secretary of War.*

"Brigadier-General T. W. SHERMAN,

*Commanding Expedition to the Southern Coast."*

In pursuance of these instructions, a proclamation was issued by General Sherman to the people of South Carolina, saying that—

"In obedience to the orders of the President of these United States of America, I have landed on your shores with a small force of national troops. The dictates of a duty which, under these circumstances, I owe to a great sovereign State, and to a proud and hospitable people, among whom I have passed some of the pleasantest days of my life, prompt me to proclaim that we have come among you with no feelings of personal animosity, no desire to harm your citizens, destroy your property, or interfere with any of your lawful rights or your social or local institutions, beyond what the causes herein alluded to may render unavoidable."

Major-General Dix also issued a proclamation to the people of Accomac and Northampton counties, in the State of Virginia, dated November 13, 1861, beginning as follows :

"The military forces of the United States are about to enter your counties as a part of the Union. They will go among you as friends, and with the earnest hope that they may not, by your own acts, be forced to become your enemies. They will invade no rights of person or property. On the contrary, your laws, your institutions, your usages, will be scrupulously respected. There need be no fear that the quietude of any fireside will be disturbed, unless the disturbance is caused by yourselves.

"Special directions have been given not to interfere with the condition of any person held to domestic service; and, in order that there may be no ground for mistake or pretext for misrepresentation, commanders of regiments and corps have been instructed not to permit any such persons to come within their lines."

Major-General Halleck within a few weeks departed from Washington to supersede General Fremont in the western department; and immediately upon arriving at headquarters issued an order excluding all slaves from the lines of his command, and prohibiting their further admission.

I can not see that the policy of the Administration, as thus exemplified, tends, in the smallest degree, to an anti-slavery result. The principle governing it is, that the constitutional Union, as it existed prior to the rebellion, remains intact; that the local laws, usages, and institutions of the seceded States are to be sedulously respected, unless necessity in military operations should otherwise demand. There is not, however, the most distant intimation of giving actual freedom to the slave in any event.

It is settled that the status of a slave under our system is fixed by law, or usage amounting to law; and until this is changed by competent authority, it adheres, no matter what change of circumstances may occur in other respects, to the slave. Should the rebellion be suppressed to-morrow, the masters of those slaves now coming within our lines, and helping us, would have a claim to their rendition, under the fugitive slave or the local law.

While, therefore, the order of the Treasury Department for paying these persons for services rendered, and the recommendation of the Navy Department that they be permitted to travel off, are good as far as they go, they do not affect the vital question at issue.

The Secretary of War suggests something nearer to the point, in saying that the Government ought to confer freedom on all slaves who shall, in any military exigency, render it service.

But nothing which may be said or done will be sufficient for the emergency while the Government imposes upon itself the responsibilities of the Union with regard to the rebellious States. This principle must be repudiated; or it is obvious that we are

tied hand and foot. Under our constitutional system the individual States are authorized to control their domestic institutions (including slavery) in their own way. This is the simple truth, and can not be ignored or gainsayed. It is folly to look for emancipation by the nation in contravention of the system through which the nation lives and acts. The ministers of the Government are bound by the Constitution in the discharge of their duties. Any action of theirs transcending this limitation is revolutionary and criminal, and ground for impeachment and punishment. Men sworn to the performance of duty according to a certain formula, are mere instruments, and rightfully possess no volition of their own.

As to giving freedom to five millions of slaves on the principle of a military necessity to suppress insurrection, it is an idle dream. This principle does not even admit of a general rule on the subject. The requisite military exigency authorizing action may exist in one place and not in another—in Missouri, for instance, on the line of Lane's Kansas brigade, and not in Accomac or Northampton. Its existence must, of course, be determined upon, when and where it arises, by officers in command. To seriously impair the integrity of slavery in this way depends on two very remote contingencies, to wit: *first*, on an honest sympathy with the abolition cause in those who carry on the war; and *second*, on such a formidable and long-continued resistance from the rebels as will create the necessity for utter and absolute emancipation in order to overcome them. The chance of these contingencies being fulfilled is the measure of probability for emancipation on the ground of a military necessity under the Constitution; and the country can judge of the extent of this for itself.

For my own part, I think it quite problematical whether there is more than one sincere abolitionist or emancipationist among the military authorities; or that the rebellion will ever hold out to the point of rendering the liberation of the whole body of slaves necessary to subdue it.

Slavery can not be abolished in a State by act of Congress. The thing is impossible. Congress is the legislative branch of the Government, performing its duties under certain constitutional limitations. Slavery in the States is outside of those limitations. It can be abolished only by the States themselves, or by the Executive *in time of war*, on principles of public law, as ably expounded many years ago by John Quincy Adams. In the suppression of insurrection, however, the Executive has not this

power, unless the insurgents have ceased to be parties to our constitutional Union; in which case they have, in fact, ceased to be insurgents, and become alien belligerents.

The overthrow of slavery by confiscating the property of rebel slaveholders seems to me to be utterly impracticable, consistently with the plain requirements of the Constitution. A bill has recently been introduced into the Senate to declare the property of all persons engaged in the rebellion forfeited, and directing the President to execute its provisions summarily without the interposition of civil process for trial or judgment. This bill is unconstitutional. The fifth amendment to the Constitution provides that—

“No person shall be deprived of life, liberty, or property without due process of law.”

And the sixth amendment is as follows:

“In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State or district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.”

A bill has been introduced, also, into this body of similar import, and obnoxious to the same objection, and likewise to a still stronger one. This latter bill proposes to abolish a State, and degrade it to the position of a Territory. Any such act as this would be utterly at war with the theory of our Federal system. It could not be carried into effect without destroying the nation, such as it has heretofore existed. Its success would establish a precedent which would make the Federal Government the source of all power, and convert the States into mere corporations.

Yet, while such views as these are correct, as regards the States of the Union, we could accomplish the object of emancipation without legal difficulty, as toward a foreign nation or belligerent power. The confiscation of property and the regulation of order could be provided for by act of Congress in any territory conquered to the authority of the United States. Powers equal to these ends would vest for the time being in the Executive, as Commander-in-chief of the nation, even without any such enactment. When General Scott entered the halls of the Montezumas, conqueror of Mexico, his authority under the President was supreme throughout that country. He represented the sovereignty of the United States, and as its executive agent, no limitation existed upon his authority within the conquered territory but such as was imposed by the laws of nations. The discretion of the President in such case is the measure of his power; but this must

be governed by the exigencies; and for the faithful exercise of this extensive trust, he is responsible to the nation, through its established tribunals. He may, at any moment, be impeached by this House.

It is, in my judgment, of transcendent importance to guard the principles of our system of free government. The most important of them is that of a division of powers into the three departments of the legislative, judicial, and executive. This has always been regarded as essential to liberty. It is now necessary that the Executive should wield military power. But the object of this is to preserve our system, not to destroy it. The war is, of course, to be comparatively of very short duration; and at its termination the executive power will again be restored to that of a civil magistrate. In the mean time, let Congress be circumspect in its own action, and prepared to hold the other branches to a just accountability.

The success of the Government in subduing upon its present plan the rebellious States must inevitably result in restoring the domination of the slaveholding class by reinstating the institution, under the forms of our constitutional system, in the powers, privileges, and immunities which have always pertained to it. Hence, such a policy is calculated to bring no lasting peace to the country, and utterly fails to fulfill the object to which a wise statesmanship would strive to direct the tendencies of the present momentous occasion.

It is no answer to me to say that it would elevate to power in the South men of more agreeable manners, or even more gentle pro-slavery views, than are now on the stage. In truth, the character of the agents whom the slaveholders select to represent them has no important relation to the question. Men are of but little consequence in this case. It is a contest of principles. The rehabilitation of slavery in the Union brings with it the whole train of evils under which the country has suffered from the origin of the Government.

There are, however, many persons who believe that slavery may be placed where it will "be in course of ultimate extinction;" that, indeed, the effect of this war, in any event, will be so to weaken it in all the States in which it exists, that it will be unable to recover from the shock thereby inflicted, but will languish, and ultimately die, without a disturbing struggle.

This is, in my judgment, a mistake. The inexorable and eternal condition of the life of slavery is, that it must not only hold its own, but it must get more. Such is the unchangeable law, devel-

oped from the conflict of slavery with the order of justice; and no one is competent to render a judgment in the case who does not recognize it.

The object of government is the protection of the rights of persons and property, which slavery contravenes. Slavery is a systematic violation of these rights. Government is instituted for mutual protection—the protection of each through the union of all—and presupposes no superiority of right in its subjects one over another, but implies perfect equality between them in respect to the end aimed at—the one object of justice between man and man. It is an instrument of nature; and whatever transient influences may for a time intervene to warp it from its appointed way, it will forever, like the magnetic needle, revert back to the eternal current which God has set to bind it to its course. Consequently, between it and slavery there is, in principle, an eternal antagonism. The law of the one is to accomplish the identical result which the other is bound by its law to prevent. To dominate government, and keep it from obeying the true principle of its being, is therefore the chief task of slavery. It must subvert government, with respect to itself, to have an existence. Nor is this all. Government arises from the elementary spirit of justice operating to the end of maintaining among men the divine order. Slavery is at war with this elementary spirit, and consequently to merely neutralize government leaves it still exposed to the force of natural justice. It must, therefore, subvert this, which it can only do through the forms of authority; hence it must control the machinery and symbols of government. Thus possessing the power of the State, it can confer upon itself a legal sanction which nature denies it. So that the existence of slavery necessarily involves its mastery of the Government in some form or other. But the tenacity of Government to the law of its being gives it a powerful tendency, when thus perverted, to recur to its true functions, which calls for an equally strong opposing influence to counteract this tendency. Hence slaveholders are forever at work fortifying themselves in the Government by augmenting in every possible way their political control.

Security is the great necessity of slavery; security is what it wants and must have. The value of property in slaves, like that of any other, depends on its tenure. But a secure tenure is much more difficult to get for slaves than for ordinary property. The latter may be tolerably safe under any circumstances, except those of the wildest anarchy; because mankind recognize and respect, instinctively, the natural and necessary property which is in the

order of nature incident to man. The relation which the universal sense recognizes and respects is man *and* property, several but connected, the one idea excluding the other as in the same being. Given the idea of man, and that of property pertaining to him follows, under the inflexible laws governing the association of ideas. But holding men *as* property conflicts with this. It breaks the chain of ideas. Men can not be held *as* property and yet stand to property as principal to supplement. Nature is violated. Logic is contradicted. Moral anarchy prevails. And hence the currents of human thought, linked with those of feeling, running upon eternal principles, set forever against it. Consequently, slave property is "peculiar." With respect to other kinds of property, no one will disturb it unless some one wants it for himself; unless some one intends to steal it. But as to slave property, the danger is simply that of an interference to set the bondman free. "Negro thief," a favorite epithet of slaveholders, is with them only another name for an "Abolitionist." It being only possible to render slavery secure by interposing the embodied force of the community, in its Government, against the natural impulse of each disinterested member thereof to strike it down, the slaveholder must not only govern the Government to keep it from doing justice between himself and bondman, but he must own it, that he may use it as a shield against individual intervention. Yet it is constantly liable to be swept out of his hands and carried back to its natural orbit by the powerful tides of human thought and feeling, which never cease to flow. And so he is never at rest. He must be always rolling his stone. A precarious tenure of his slaves is intolerable to him. The constantly recurring fear of losing the power of governing excites in his mind visions—to him the most hideous—of universal emancipation. The probability of it goes directly home to his pocket by reducing the market value of his slaves.

It is, therefore, by no means enough for him to have present possession of Government. He must have it for all time; and of this he must have guarantees. It results that the more he gets the more he wants. He can, of course, never get absolute guarantees, because he is in conflict with the Absolute. The moral world moves, and Governments move with it, and both move, though irregularly, in the direction of eternal justice; and hence his institution continues more or less in question, in spite of all he can do. Thus slaveholding inevitably begets an intense and ever augmenting lust of power, which nothing can fully appease, but which would, if not overcome, advance, step by step, from one seat of au-

thority to another, until it covered the whole continent with its black pall.

The annals of our country abound with illustrations to enforce this teaching. The slaveholders commenced under our system with much more than a moderate degree of power. They had, in fact, a large preponderance in the Government. They were uppermost in both Houses of Congress, and in the judiciary and executive departments. It is true, they might, in the Senate, be ultimately overcome; and the constantly expanding populations of the free North might soon neutralize them in the House. Nevertheless, they could at all times choose their own President. They had votes in the electoral college equal to their entire vote in Congress; and while their unity was of course perfect, the North was, at all times, more or less divided. Its rival candidates for the Presidency would compete for the vote of the slaveholders, for permission to take the office in trust for them, and use it under their dictation. The patronage and power of the executive office were ample to have enabled them, by keeping the other Departments generally filled with their servitors, to dominate over the country.

This was their original policy. In pursuance of it they elected nearly all our Presidents; appointed our judiciary; carried our Congresses; admitted Missouri, Arkansas, Florida, and Texas; involved us in the war with Mexico; passed the fugitive slave law; annulled the Missouri compromise; carried on the war against Kansas, and kept that State out of the Union for four years—governed the country, in short, entirely in their own way, for three fourths of a century. As a part of this policy, they subsidized a large number of the public men and public press of the North. The democratic party was their tool as long as they wanted to use it; and then they broke it into pieces and threw it away.

Their plan of operations was, indeed, most excellent, and in hands as skillful as theirs need never have failed of its purpose. But they were not content with the vast power it gave them. Their instincts impelled them to look beyond it to still greater aggrandizement and stability. How could they, being slaveholders, be satisfied with any limitation, present or prospective, certain or contingent? Their first policy was accordingly superseded gradually by a more radical and ambitious one, of which the rebellion now convulsing the nation is the effect.

As early as 1832, it became the settled purpose of Mr. Calhoun and his disciples to organize the South into a distinct State. It was not originally, however, their wish to dissolve the Union. Their

preferred idea was to change the Federal system. They wanted to refine on the original plan by rendering the South one and an equal confederate in the system with the North; thus making the organization not only a Federal Government of several States, but having the South united as one, with a power of control over the whole. It was a thing necessary to this end, that the South should have in some form a final negative or veto power; so that nothing could be done by the Government without her assent. To hold the Senate would suffice for this, and such was the foundation of that desire for "equilibrium," which induced the slaveholders, for a long time, to refuse to admit into the Union any free State without coupling therewith a slave State. This proving insufficient, the Southern mind, under the plastic genius of Mr. Calhoun, abandoned the idea of an equilibrium for the more imposing and attractive dream of independence. This gentleman elaborated and enforced his views with great eloquence and power in the Senate in 1850, when he suggested an amendment to the Constitution. He proposed that the executive department be reorganized, with two Presidents instead of but one; one to have charge of foreign, the other domestic affairs; one to be from the North, the other the South, and each to have a veto upon Congress and the other.

Although this proposition was regarded at the North as extremely visionary and preposterous, and was never again presented in the same form, its introduction marks the period of a new system of political action in the South. Every subsequent movement of the Southern leaders has had reference to the principle here involved. Independence has been since then their central idea—independence in or out of the Union. Their first effort after this was to make slave States out of all the Territories and to admit them; and to continue the acquisition of territory along the southern line for the same purpose, with a view to constitute the Senate the permanent organ of the South. Accordingly the Missouri compromise was annulled; Nebraska divided into two Territories, so as to form ultimately four States; and the Dred Scott opinion announced. These measures were all parts of a conspiracy. The Supreme Court were to adjudge all territory of the Union slave territory; so that the minions of the South might step in, take possession, and send up the Senators duly certificated. It never occurred to them that the North would, in spite of their judicial decree, wrest their possessions from them by a superior emigration. But it so happened that Kansas was the key to the whole issue, and the North fixed its eye upon Kansas, and determined, cost

what it might, to secure it. The acquisition of Kansas by an intensely anti-slavery population dashed the fine scheme of the slaveholders, and left them no other resort, if they would have independence, than an attempt to win it by war against the Government. And this attempt we have in the present rebellion.

And here let me pause for a brief moment, to pay a merited tribute of respect and gratitude to my constituency. Brave, devoted, uncompromising, heroic people! proudly do I bear your honored name in these Halls. Sir, theirs is the glory of these eventful days; to them belongs the credit of having first interposed a barrier to check the progress of despotic rule on this continent. Kansas lost, we should now be hopelessly, irretrievably subjugated. No such Republican party as we have seen would have been organized, or, if organized, it would have been speedily extinguished. Abraham Lincoln would not now be President; but rather some such slaveholder as Jefferson Davis. We should not now see a mighty host marshaled beyond the Potomac, with the cheering ensign of the Republic full high advanced, and the power of a legitimate Government and twenty millions of free people behind it; but we should see, instead of this, our Government transformed into a slaveholding despotism, as tyrannical as that of Nero, by means so indirect and insidious as hardly to be seen until the fatal work was finished. The people of Kansas took it upon themselves to act as a breakwater, which has had the effect to stay the advancing tide of slavery, and shield the continent from its sway.

When I recur to my own intercourse with this gallant people during the period of their terrible struggle in their attempts to subdue the wilderness—to make homes for themselves where no home save that of the Indian, the elk, or the buffalo had ever existed before; considering their scanty resources, and the severities of life in a new country to which they were exposed; and remembering their determined purpose in behalf of the cause in stake—how men and women alike surrendered with alacrity every personal interest and comfort and aspiration, and, with a sublime self-sacrifice, consecrated themselves to the great service—the perils they encountered, the extreme suffering they individually endured, and yet the true martyr spirit, the patience, the constancy, the fortitude they displayed throughout; when I recall these things, and my own relations with them in those trying scenes—our mutual hopes and fears and efforts—the days when we were together in the council and the camp—the nights when,

on the broad unsheltered prairie, or around rude and poor but hospitable firesides, we were consulting, deliberating, arranging, resolving, and executing; and when I recall, as I never fail to do, the glorious memory of those who passed through the shadows of death in this august work—some by sickness, others by privation, others again on the field of battle bravely fighting for liberty—I am moved with a feeling for which no expression would be appropriate but the silent eloquence of tears.

Sir, history has no brighter page in all her long annals than this. I say it without hesitancy, although I am the Representative of Kansas on this floor.

It is recorded of the chivalric but ill-fated people of Poland, that they stood up a shelter and breastwork for Europe against the swelling tide of infidel invaders who, in the seventeenth century, threatened to overwhelm the civilization of that continent. A similar record will be made by the pen of impartial history, to testify to the transcendent heroism of my noble friends and constituency. It shall be said of them that, though few in number, limited in means, surrounded by enemies, far away from friends and reinforcements, they yet stood up, like a wall of adamant, against a power which wielded the resources of a nation of thirty millions, balked it of its prey, and saved a continent to freedom and civilization. Such is the inscription which the eternal page will bear in letters of light, regarding the transactions to which I refer; and traditionary song and story shall celebrate to posterity the worth of their deeds which to-day may find no recognition.

In what has been said we may see two methods of teaching—one by reasoning, *à priori*, and the other by inference from history—alike inculcating the one lesson, to wit: the folly of attempting to hold slavery in a subordinate position, or to place it where it will be in course of ultimate extinction. It is tenacious of existence, and its very existence implies rule; and to make this secure is its never-failing motive. Security is what it wants—not security admitting of degrees of some, more, most—positive security, comparative security, or superlative security—but ABSOLUTE SECURITY. Hence, unlimited power will alone suffice it. No truth in history is brought more directly home to us than this. Leniently, patiently, indulgently, expensively, and fully have we tried the experiment; and now we have its lesson thundered in our ears from the cannon's mouth. And therefore Lord John Russell was perfectly correct in saying, as he did say a few weeks ago, at Newcastle, with respect to this country, that—

"Supposing this contest ended by the re-union of its different parts; that the South should agree to enter again with all the rights of the Constitution, should we not again have that fatal subject of slavery brought in along with them—that slavery which, no doubt, caused the disruption, and which we all agree must sooner or later cease from the face of the earth? Well, then, gentlemen, as you will see, if this quarrel could be made up, should we not have those who differed with Mr. Lincoln at the last election carry at the next, and thus the quarrel would re-commence, and perhaps a long civil war follow."

Lord John Russell is substantially right in this respect. Let this plan of the Administration for bringing back the seceded States on the old basis be realized, and we shall be precisely where we were at the commencement of this struggle. Slavery might possibly be satisfied with Mr. Lincoln's policy to-day, but what would not to-morrow inevitably disclose? It might possibly, while suffering from the disaster of secession, regard its situation tolerably satisfactory in the Union on almost any terms. But once recovered from the shock of its defeat, would it not again develop its ambitious and aggressive nature with as much virulence as ever? No one can doubt it. Hence, should this policy prevail, nothing is more demonstrably clear than that the future history of this country will realize the very same troubles of which we so grievously complain in our past, and which culminated in the overwhelming calamity of civil war. After the lapse of a little time, when the strife of the present hour shall have composed itself to rest, the old monster will again come forth from his lair. In every State in the South we shall have this measure and that for the benefit of slavery set up as a *test* in all the elections for State Legislature, for Governor, for members of Congress, for Presidential electors, for everything; and those candidates will, of course, be chosen who are most *ultra* in their pro-slavery tendencies. If Mr. Holt, or Mr. Johnson, or Mr. Carlile, or other men like them, do not square up to the highest standard of Southern exaction, they will be soon set aside, and those who do will take their places. The Presidential election will be controlled in the same way. It will be treason to the South to vote for a Northern man, unless he is a "Northern man with Southern principles." Their chosen candidate will be the one who gives the best proofs of his devotion to the South. Here, then, will again be generated that species of politician known as the "doughface." Those at the North who, in times past, ignominiously threw themselves down at the feet of the slaveholders, as "mudsills," to pave the edifice of their power, will again pass into the service of that "oligarchy." Northern servility and Southern arrogance will grow apace; and from one demand to another, from one concession to another, they will advance, until the disorder again reaches its crisis, when

another explosion will ensue, the anti-slavery element will rise into power as before by reason of excesses on the other side, the whole slave interest will be again imperiled, in consequence of which it, with, perhaps, its allies, will again fly to arms (its natural resort), and the country will again be involved in the horrors of civil war. This is the inevitable action and reaction of our present system. The movement, while slavery lasts, is one which proceeds upon natural laws, just as inexorable as the laws which govern the movements of the planets. They can not be counteracted by any sort of political legerdemain.

Nor does it improve the case in the slightest degree that all this will be done through men and organizations heretofore dear to the people as representing a better cause. Circumstances change, and men change with them; but principles change not. Men may not see, or seeing may not believe. Again: men may be willing, for the sake of power, to discard the principles to which they once stood pledged. Or they may never, in fact, have been pledged to principles in themselves, but only to certain applications of them.

The resolving force of the war may turn the spirit of slavery into a new body, with new head and feet and hands. The old *personnel* of the oligarchy may be entirely displaced. Hunter and Mason, and Slidell and Toombs, and Stephens and Beauregard, and Keitt and Pryor, and the whole array of the present, may pass into eternal oblivion, and new names be substituted in their stead; names, it may be, in many instances, which have been, and are even now, associated with our own in political action. But this will not improve the case. Slavery will be slavery still. Organizations can not change it, though it may change them. Nor can men's names, nor party names, change it. It may enroll itself under the "Flag of our Union," and turn its face from Richmond to Washington. It may gather around the purlieu of the White House, instead of the Confederate mansion. It may bow down to Abraham Lincoln as the god of its idolatry, rejecting its present idol on the banks of the James River. But it will, nevertheless, be sure to come into our Senate and House of Representatives; it will be sure to come into our electoral college; it will be sure to come into our national conventions; and it will be sure to be felt wherever it is. It will vote for slavery. It will vote for slavery first, and for slavery last, and always for slavery. If Abraham Lincoln would be re-elected President, he must secure the vote of slavery; for if he does not, somebody else will, by its aid, be elected over him. And it follows, as the night the day, if Abraham

Lincoln secures the vote of slavery, that slavery must, in turn, secure the vote of Abraham Lincoln.

Indeed, the tendency of the Government, upon the principles which now control its action with respect to the war, is irresistibly toward such a transmutation of political elements as will restore the slave power to its wonted supremacy in the Union, with the Administration for its representative and agent, however reluctant the latter might be to perform so ignominious a part.

There are two classes of slaveholders, who, though divided on the particular question of secession, are yet one and indivisible on the paramount question affecting the power and prestige of slavery; namely, Unionists and Secessionists. One is, as to the Union, with us, the other against; both, however, having a common purpose with respect to slavery, to wit: its security, and to this end its domination.

It is the determination of the secessionists to dissolve all political relations with anti-slavery people of every class, and to establish a government into which no insidious foe shall be permitted to enter, but through which slavery shall reign forever, undisputed and indisputable sovereign lord. On the other hand, those slaveholders who cling to the Union propose to accomplish pretty much the same thing by a different process; namely, by bringing all the slaveholders back to their loyalty, and employing the power which will thereby accrue to them jointly to regain control of the Federal Government.

It is but a difference of choice among the slaveholders as to the kind of mansion they will inhabit; whether they will continue to dwell in the old establishment which their fathers built and consecrated to slavery; or abandoning that to the heathen, erect for themselves a new edifice, pictured in their arid dreams as one which no rude tempest shall assail, nor the winds of heaven visit too roughly; with foundations of tried steel, pillars of alabaster, halls of precious marble, and pavements of gold.

The slaveholders of the Union party, more practical and less imaginative than their secession brethren, prefer to tarry in the old place, proposing to themselves to convert the latter from the error of their way by convincing them that secession is a mistake; that Southern independence is a delusion fraught with manifold and terrible woes; that the safety, the stability, the dignity, the power, the grandeur, and the glory of slavery are all fixed in the Union, and not to be enjoyed out of it; established in the house which their fathers built; which is theirs by imprescriptible right; a glo-

rious inheritance; "the fairest fabric of government ever erected by man."

They appeal to the masses of the South to abandon their present leaders and fly to them, crying out that to follow the Confederate flag along the "perilous edge," and through storm and battle, will lead them to swift destruction; but that to rally to their standard will take them back to the old homestead, where, in the affecting pictures they draw, the pastures are ever green, and the streams ever bright; the skies always blue, and flowers blooming perennial; and here, they tell them, they may forever repose under their own vine and fig-tree, with no one to make them afraid.

Their desire is that we should not be precipitate in moving forward the grand army of the Union; but should hold it up as a gigantic instrument of chastisement *in terrorem* over their erring brethren, allowing ample time before using it for penitence and absolution. Hence we are to infer that the harmless evolutions of dress parade are more to their views than frequent encounters on the field of battle.

Yet they require that our army should be advanced. It must occupy each rebellious State. Our standard must be unfurled, as a rallying point. A center of operations must be secured, from which missionary enterprise shall branch out. To convert the sinning sons of the South back to truth and righteousness, there must be a Jerusalem at each convenient locality, up to which they may come to indicate repentance and be again enrolled in the flock of the immaculate of the house of Israel. And nothing will suffice for such a Jerusalem but a military encampment, with such latter-day saints as McClellan and Banks, and Dix and Halleck, and the like, armed to the teeth and ready for the fray, with sword in one hand and the Constitution in the other, prepared to administer death or the oath of allegiance according to the stubbornness or docility of the subject.

Of course it is a part of the system of operations of these Union gentlemen to do a little in the revolutionary way themselves, whenever such slight irregularity may become necessary to checkmate the leaders of secession. For instance, as in all the rebellious States, the forms of government are in possession of the insurgents, it is part of their plan to arrange State governments of their own. Such machinery is necessary in carrying out the great scheme of salvation in which they are engaged—scaly to which, on the part of the penitent rebel, shall be the test of a return to the faith of the fathers. This has, indeed, already been tried, and found to work to a charm. The Unionists in Western Virginia met at

Wheeling, and voted from among their number Mr. So-and-so for the Legislature, Mr. So-and-so for Governor, Mr. So-and-so for judge, and they having called this the government of the State, it was immediately recognized as such. Whereupon United States senators and members of this House were at once sent up, and promptly admitted; and these gentlemen of Western Virginia will, in 1864, by virtue of this little artful operation, carry about with them in their pockets some fifteen votes of our electoral college to decide who shall be our next President. As this programme is to be carried out in every seceded State, for every State which the "new South," or the new "oligarchy," thus clutch, they will secure two United States senators, besides an indefinite number of members of this House, and votes for President equal to their full Congressional representation. They will have, of course, proportionate delegations in all our nominating conventions.

Wherever such organization is set up, it is expected that the slaveholders will, in large numbers, desert the Confederate banner, and follow that of the Union. An inducement which will attract many, is the opportunity which will be thus presented of entering into the new order of things high in official station. Offices will be obtainable with little difficulty; and ambitious young men, and ambitious men not so young, will rush, it is supposed, to the side of the Union, to enjoy official patronage and prestige; bringing with them all their friends, relatives, debtors, creditors, and other persons interested in their success in life. It is also regarded as highly important that the most liberal promises in favor of slavery shall be given. Jefferson Davis may, in this respect bid high; but, if so, Mr. Lincoln must bid against him. A strict observance of all the guarantees of the Constitution must, of course, be stipulated. An amnesty, which shall cover all sins of omission or commission, must be granted to whomsoever shall return to his allegiance, and all such measures be resorted to as shall serve to allay the suspicions, assuage the bitterness, and abate the hostility of the erring children of the South to our common Government, and persuade them again to enjoy its blessings.

By such skillful treatment as is here hinted at, by the military arm in one direction and the dexterous fingers of political artifice in another; by alternate blows and persuasion, blisters and sugar-plums, it is expected that the belligerent will be tamed down; the willful recalled to tractability; the skeptical inspired with faith; and in fine, the whole body of slaveholders firmly planted once more on the side of the Union, the Constitution, and the laws.

The policy of the Administration harmonizes in almost every particular with the object of this class of slaveholders. It offers ample protection to their constitutional rights, and full pardon to secessionists returning to their allegiance. It holds the grand army in abeyance; and recognizing their empty frameworks of State governments, inducts them as *bona fide* into the sacred temple of our sovereignty.

In short, the two bodies seem to be at one table in full communion. Their actions tend unmistakably to the same result, whether they know it or not, and their success will develop a reunion of the slaveholding interest on the platform of the Administration, for the protection of slavery, and against all who oppose it.

In this way the party of slavery will become again the party of the Administration; Mr. Lincoln will become the President of the South, through the agency of the Union, and Jefferson Davis will retire to the shades. The Federal Capitol will once more become the seat of the slave power, the Federal Government its instrument, and the country its subject realm. The old game of a united South against a divided North will be repeated. The party of the Administration will play the *rôle* of the old Democratic party again. The former strife will be renewed; and in the end, however distant, slavery will again be driven to extremities.

I may, however, be permitted at this point to put in a protest against extemporizing State organizations for seceded States, and clothing them with powers to correspond. So far as legal correctness is concerned, this action is as unwarranted as secession itself. It is quite as revolutionary. Indeed, it is, in this respect, upon precisely the same footing with secession. Secession repudiates the Federal authority within a State through State forms and State forces, while this repudiates the State authority through Federal forms and forces. They are both revolutionary. Nor can the plea of necessity be interposed to extenuate it. No necessity exists for anything but for a military occupation in a rebellious State until the rebellion is subdued. And this is precisely what should take place, and nothing else. These skeleton State organizations are nothing but the machinery of political artificers for monopolizing power; and it is a shameful and most pernicious abuse of the Executive trust to recognize them as valid.

A government for the State of Virginia made its appearance last May, and claimed to be entitled to consideration, because, as it was said, the people west of the mountains had instituted it. It received the recognition of the President, which was construed to bind

the other branches of the Government. Since then, however, the people, who were represented as having adopted this, have organized another State government, with a view of being detached from the old State. But under the Federal Constitution this can not be done without the consent of the old State. Nevertheless, the people of Western Virginia having created a government for the whole State, of which the needed recognition was afforded, and having now created their new State of Kanawha, have only to give to the latter, through the former, the necessary assent, to secure the requisite compliance with the terms of the Constitution, and be doubly admitted into the Union—thus becoming invested with the constitutional powers of the old State of Virginia, besides those which will belong to the new State of Kanawha, including, of course, two United States senators for each. I conceive this to be a gross outrage upon the constitutional rights of all the other States.

This process of making States at short-hand may give rise to one of the most gigantic schemes of political jugglery the world ever saw. The war may not be finally closed or the rebels subdued for many years, and yet the vast power pertaining under our Constitution to the seceded States may, in the mean time, be exercised by a very limited number of persons. It is only necessary for the Government to secure a footing at some point within the geographical limits of one of these States to enable a few individuals to acquire the power to which such State is entitled by the Constitution and usages of the land, in Congress, in the election of President, and in all our nominating conventions. To this end, it is only necessary for a stock of ready-made State governments (so to speak) to go along with the army, and for one to be set up wherever a corps may encamp with a seceded State.

I will not say that this is the sort of game which the Unionist slaveholders intend to play, to hasten their control of the Government in advance of the actual conquest of the rebels. And yet is it not mainly as to the superiority of political over military tactics for maintaining power that they differ with their secession brethren? At any rate, this scheme would admit of a most stupendous fraud upon the country; and a public man, who is even decently honest, slaveholder or non-slaveholder, will regard it in this respect with great disfavor.

I will not impeach the motives of the Administration. It is doubtless guided by a sincere desire to do, in all things, what will prove to be for the best interests of the country. But it is, nevertheless, acting upon a most deplorable policy in this respect.

Principles control events; and its principles, in this regard, can not fail to develop another woeful cycle of national contention and disaster, probably more violent, bitter, and fatal than anything in our past history. The very opposite course is the one it ought to pursue. To liberate the Government utterly and forever from slavery should be its first and paramount object. To accomplish this it is only necessary for it to discard an attenuated abstraction, and avail itself of opportunities which God has brought to our very doors. The simple act of changing in practice the relations of the Government, and pursuing the war according to the law and facts of the case, would, in a short time, make the United States as completely free from slavery as Canada, and place the institution at our feet, and under our feet. To recognize the Confederate States for their benefit is no part of our duty; but to shape our policy to accord with events, and enable us to fulfill a high purpose, is what we are imperatively called upon to do. The fiction upon which we are now proceeding binds us to slavery; and hence the national arms, instead of being directed against it, are held where they may at any moment be required to be turned to its defense.

The wish of the masses of our people is to conquer the seceded States to the authority of the Union, and hold them as subject provinces. Whether this will ever be accomplished no one can, of course, confidently foretell; but, in my judgment, until this purpose is avowed, and the war assumes its true character, it is a mere juggle, to be turned this way or that—for slavery or against it—as the varying accidents of the hour may determine.

It is well that the bugbear of disunion has passed away, and can no longer be used to frighten timid souls from their propriety. Every one now sees that there can not be any permanent separation of the States of the South from those of the North; that they are wedded by ties of nature, destined to triumph over all disintegrating and explosive forces.

Should the belligerent sections settle down upon existing bases into separate political communities, the States in the southern section, along the northern line, would speedily become free, and eager to reunite with the North. Such slaves as could escape across the line would do so, and the rest would be conveyed by their owners to the distant South; and as these States became free, they would become antagonistic to their confederates, and reconciled to the old Union; and no obstacle could prevent their return. Thus the southern line of the United States would be brought down to the next tier of slave States, upon which the

same effect would be wrought; and thus the process continued until the national ensign would again float unchallenged on the breezes of the Gulf. This would effect a restoration of the Union on an anti-slavery basis.

So that, even if the present war should cease, a new one would immediately begin. Moral forces would take the place of physical ones; and the anti-slavery editor and lecturer would appear instead of the dragoon and musketeer. The center of abolitionism would, in time, be transferred from Boston to Richmond; and we should see a Virginia "liberator," in the person of some new Garrison, come forth to break the remaining "covenant with death" and "league with hell."

The question may be fairly regarded, however, as in one sense a question of union. Estrangement and war will always exist while slavery survives. The extinction of this evil is the only final end of disunion. The question, therefore, is, whether our Union shall be a real or a pretended one—whether freedom shall be its law and peace its fruit, or slavery its law and war its baleful offspring. A system based on slavery is essentially one of disunion. The war must, therefore, strike for freedom, or its professions about Union are delusive, and its end will be naught but evil.

Should it fail to do so, then let us cast it out as a wickedness and an abomination, and trust the cause of Union to other preservatives—to God's providence rather than to man's imbecility and treachery. War is obnoxious on general principles; and is only sanctified as a means to a noble end. It is a treacherous instrument at best; and in this case there is no little danger that it will turn into a thunderbolt to smite us to the earth, burying beneath the ruins of our constitutional liberty the hopes of mankind.

Eight hundred thousand strong men, in the prime of life, sober and industrious, are abstracted from the laboring population of the country to consume and be a tax upon those who remain to work. The report of the Secretary of the Treasury tells a fearful tale. Nearly two million dollars per day will hardly more than suffice to cover existing expenditures; and in one year and a half our national debt, if the war continues, will amount to the sum of \$900,000,000.

This is the immense sacrifice we are making for freedom and Union; and yet, is it all to be squandered on a subterfuge and a cheat? For one, I shall not vote another dollar or man for the war until it assumes a different standing, and tends directly to an

anti-slavery result. Millions for freedom, but not one cent for slavery!

Sir, we can not afford to despise the opinion of the civilized world in this matter. Our present policy narrows our cause down to an ignoble struggle for mere physical supremacy, and for this the world can have no genuine respect. Our claim of authority, based on a trivial technicality about the proper distinction between a Federal Government and a mere confederacy, amounts to nothing. The human mind has outgrown that superstitious reverence for Government of any kind which makes rebellion a crime *per se*; and right of secession or no right of secession—what the world demands to know in the case is, upon which side does the morality of the question lie? Considered as a bloody and brutal encounter between slaveholders for dominion, it is justly offensive to the enlightened and Christian sentiment of the age. Yet the fate of nations, no less than of individuals, is molded by the actions, and these by the opinions of mankind. So that public opinion is the real sovereign after all, and no policy can be permanently successful which defies or disregards it. The human mind, wherever found, however limited in development, or rude in culture, is essentially logical; the heart, however hardened by selfishness or sin, has a chord to be touched in sympathy with suffering; and the conscience has its "still small voice," which never dies, to whisper to both heart and understanding of eternal justice. Therefore, in an age of free thought and free expression, the brain and heart and conscience of mankind are the lords who rule the rulers of the world, and no mean attribute of statesmanship is quickness to discern and promptness to interpret and improve the admonitions of this august trinity.

Sad, indeed, will it be if those who, in this auspicious hour, are invested with the responsibility of command, shall continue to lack wisdom to comprehend or virtue to perform their duty. This is the great opportunity which God has vouchsafed to us for our deliverance from that great curse which darkens our past. Let us not prove ourselves unequal to the destiny which it tenders. Oh! let us not attempt to rebuild our empire on foundations of sand; let us rear it on a basis of eternal granite. Let the order of justice, the harmony of God's benignant laws pervade it. And no internal commotions or outward assaults will afterward beset it, against which it may not rise triumphant and enduring.

"Thou vampire Slavery, own that thou art dead.  
 \* \* \* \* \* Yield to us  
 The wealth thy spectral fingers can not hold;  
 Bless us, and so depart to lie in state,  
 Embalmed thy lifeless body, and thy shade  
 So clamorous now for bloody holocausts,  
 Hallowed to peace by pious festivals."

Thus may the great Republic, so long perverted and paralyzed by slavery, stand forth, in the words of the Irish orator, "redeemed, regenerated, and disenthralled by the genius of universal emancipation."